

G.R.S. [X-5]

Previous references.

1923..

File No. 12-23

Serial Nos. 14-15 & 1

Later references.

*Preserve
In*

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. *Less Three*

Part B for *Jan, 26.*

SUBJECT

Requests to be informed whether a person who is the manager or head of a Hindu family can delegate his right of voting to any other person member of the same family.

Sl 15)

No 1577

26.1.24

L.

The Deputy Commr.

Bangalore

Y 112/1

Draws attention to the Election Rules regarding holding of election to the Rep. assembly & the Legi.

Cl

28.1.24

Office of the Deputy Commissioner,

Bangalore District,

Dated Bangalore, 11th January 1924

No. 456 / n-2

From

Chand Heli

B. Venkoba Rao, Esq., B.A.,

Deputy Commissioner,

Bangalore District.

23

1924

Ref

12-23

14

B. Narappa, Esq., Bar-at-law.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Local and Legislative Depts.,
Bangalore.

Sir,
In forwarding herewith the marginally noted papers re the inclusion of certain names in the Electoral list of the Representative Assembly I have the honor to state that the point raised for orders is whether a person who is the manager or head of a Hindu family, can delegate his right of voting to any other member of the same family at any time before the election takes place or before the modified list is published.

It appears that all applications for additions or alterations in the original list should go to the "Revising authority" and independent of that body no applications can be received. But as this is the first time that the revised rules have been brought into force, I request clear instructions in the matter.

I have the honor to be,

Sir,

Your most obedient servant,

B. Venkoba Rao

Deputy Commissioner,
Bangalore District.

Sailed for orders.

Kindly see is invited to note

5 from 2 III (C) of the rules

at page 50 of the manual

Am

18.1.24 Sailed with a draft as directed

Am

10.1.24

Scanned by 10/1

22423

3

From

The Deputy Commissioner
Bangalore DistrictTo Secretary to the Govt. of
Mysore, Local and Legislative
Departments, Bangalore

Dated

11-1-24

Despatched

— 20 —

Received

General No.

H 456/n-25

No.

Enclosure No.

14th

In view of certain papers
on the inclusion of certain
names in the electoral list
of the Representative Assembly
and Act of the Chennarayana
Taluk and request solicits
instructions in the matter.



12/1/24
12/1

(2) 4

Serial
No.

The question raised by the Deputy Commissioner is whether a person who is the manager or head of a Hindu family, can delegate his right of voting to any other member of the same family at any time before the election takes place or before the modified list is published..

The power of delegation is given under -- Rule 2, note iii clause (e) published at pages - 78-80 of the Mysore Legislative Council and the Representative Assembly Manual, Vol. I. which -- runs as follows:-

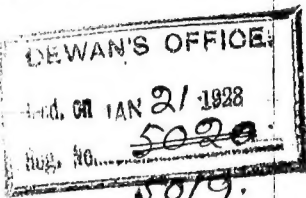
"If property is held or payments are made -- jointly by the members of a joint family or partnership, the family or partnership shall be adopted as a unit for deciding whether the qualification exists and the vote shall be exercised, in the case of a -- Hindu joint family by the manager thereof, or the -- member authorised by a majority of the family, and -- in other cases by the member or partner authorised in that behalf by a majority of the family or the partnership concerned."

This is a substantive right given to the head of the family to delegate his power of voting or -- standing for election if the family possesses sufficient property qualification for the election. --- There is no time fixed in the rule within which he should exercise this right. Under rule 8 relating to the conduct of elections published at pages 84 -- and 85 it is laid down that voters must vote in -- person. This delegation of power in the case of a joint family is an exception to this rule. It is -- clear that only after the Government have recognised the property qualification of the family as a unit --

1038(4)

Serial
No.

i.e., on the 12th February 1924. The power of authority need not be engrossed on a stamp paper, and it may be signed by person or persons giving authority. The signing includes left thumb impression of illiterate persons. The ~~power~~ of authority should bear the attestation of two respectable persons, *in case of illiterate persons giving authority*.



Dewan)

81

2 entries have been made
whose name is not in the
list of names given (and
like this.

The delegation had been
given to name of the
deputed person being
rules to be followed.

4

13.1

81

23/1

As directed by the Dewan in his
a D.O. sent to D.O. regarding him
to rule 9 published at page 84
of the manual -
That this copy. Put up a paper

80
2571

1638

(5)

E

G. R. S. III-2]

General and Revenue
Secretariat.

Ref File No. 12

of 1923.

Serial
No.

Amph. Indup

26/1/24. L.H. Secy.

(23)
26/1appd. the
abuseIssue 26/1
26/1

- 15 To, The Deputy Commissioner Bangladesh.
D.O. No 1577/24 dated 26-1-24.
With reference to the above, invites attention
to the Election Rules (Rule 9) regarding holding
of elections to the Representative Assembly and
Legislative Council.

26/1
28/1

SUBJECT

Diary No. of letter replied to

Section

File No.

Serial No.

General and Revenue Secretariat

()

No.

, the

192 . .

To

Date of issue

By Commr, Bangalore

Signed by

in,

With refer to your letter
No A.C 456 '22-23 dated 11.1.24
re the inclusion of names
of persons or joint families
I am directed to invite refer
to note 1) to rule 2111.E1 of the
rules issued with Adk. No P2397
of 12-23-4 dated 7.11.23 and
to state that ~~there are no rules for the~~
~~delegation of orders~~
~~and that only persons~~
~~whose names are in the list~~
~~can make and stand for election~~
~~be delegated.~~
The enclosures required with
your letter are herewith returned
I have etc

187

For Secy Secy Secy

G.O. No 1577/bels. Ref 12-23-15. (7)⁹
D.O.

dated 26.1.23

Dear Sir,

With reference to your letter No. H.C. 456/22-23, dated the 11th January 1924, requesting to be informed as to whether a person who is the Manager or head of a Hindu family can delegate his right of voting to any other member of the same family at any time before the election takes place or whether this has to be done before the modified list is published, I am desirous to invite your attention to Rule 9 of the rules contained in Part I of the Notifications No. P. 2399/Legis. 12-23-6 and No. P. 2406/Legis 13-23-6, dated the 7th November 1923 regarding the holding of elections to the Representative Assembly and the Legislative Council.

Yours sincerely,

B. Venkoba Rao

B. Venkoba Rao, Esq., B.A.,

Deputy Commissioner, Bangalore.

CHIEF SECRETARY
21 JAN 1924

B.A. & REFORMS SECTIONS.

Office of the Deputy Commissioner,
Bangalore District,
Dated Bangalore, 17th January 1924.

No... *H.C. 456/n-5*

From

B. Venkoba Rao, Esq., B.A.,
Deputy Commissioner,
Bangalore District.

To

B. Nagappa, Esq., Bar-at-law.,

Secretary to the Government of His Highness

the Maharaja of Mysore, Local and Legislative Depts.,
Bangalore.

DIARY No *1089*

1923	-1924
Section.	<i>Ref</i>
File No.	<i>12-23</i>
Serial No.	<i>17</i>

Sir,

In continuation of this office No.H.C.456 of 1922-23 dated 11th January 1924 forwarding for instructions certain papers in respect of the question of including certain names in the Electoral list, I have the honor to forward herewith a petition for orders from Mr.V. Menkatappa of Chennapatna Taluk praying for the early disposal of his previous petition as the time for announcement of the candidature is fast approaching.

I have the honor to be,
Sir,
Your most obedient servant,

B. Venkoba Rao

Deputy Commissioner,
Bangalore District.

Subd for orders in continuation. The question was subd in person to the Secretary on 18.1.24

*Prin.
21.1.24*

*It has been submitted to the
Swam for orders which will be annexed*

21/1

*This may be submitted in continuation -
as the prayer is somewhat different, viz., substitution
of the applicant's name for that of his father, so that
the applicant may stand as a candidate. In
my opinion this cannot be done under the rules
only those whose names appear on the roll*

23250

From

A Deputy Commissioner
Bangalore Dist

To

The Secretary, White House
Bangalore

Dated

19-1-24

Despatched

Received

General No.

No.

Enclosure No.

Enclosed is a petition
from V. Venkataswami
of Chennarayana for
the removal of his
petition.

Serial
No.

Case stand for election. In the case of Hindu joint families, and partnerships, the manager, in the first instance, is mentioned in the rolls. If the members choose to authorise another, the name of that other will be entered in the roll, then reversing the list. After this stage is past, there can be no further alteration of the list or delegation of power to vote or to stand for election. It is on this basis that I approved of the draft in the file before the Dewan, declining his request. The Secretary has however, differed, and the file has been submitted for orders. This is another application by the same person as before the former, in permitting him to stand as candidate, instead of his father, whose name is entered in the list. subd for orders

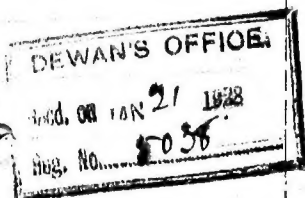
Dewan)

Cdy
- 21/1Connected to the
the other

open passed
in file for 12/23
Sanis 16/25
12/25

the other
with the
16/25
23/1
23/1

only those in the list can
vote + voting by proxy
is not allowed.



2/21
Stamp not punched
by?

NOTE—Contn. sheet.

This is attached.



(10)
Dony
to 17/11/24

To, G. D. SECY,
The Deputy Commissioner,
Bangalore District,
Bangalore.

Petitioner:- V. Venkatappa,
Tittamaranahalli,
Channapatna Taluk.

ns
17/11/24

-*****-

The petitioner abovenamed begs to state as follows:-

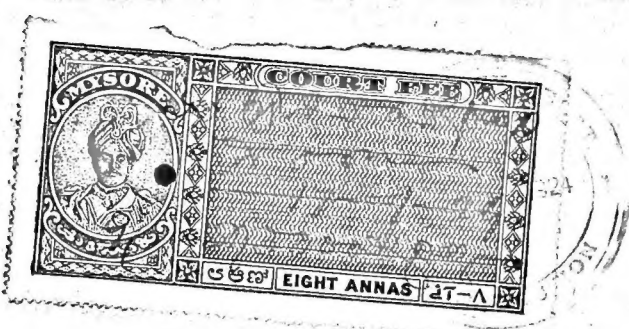
1. The petitioner and his father Mr. Venkata Gowda are the only members of the joint family holding lands jointly.
2. The family pays an assessment of about Rs. 2000/- to the Government in the Channapatna Taluk and is thus entitled to vote for and to be elected to the Representative Assembly and Legislative Council.
3. The Khata has stood in the name of ^{the} elder of the family Mr. Venkata Gowda who is the Manager.
4. The Manager of the family, my father, has authorised me to exercise the vote and to stand for election to the Representative Assembly.
5. The application authorising me as above and the petitioner's application announcing his candidature from the Channapatna Taluk (Rural constituency) to the Representative Assembly are made to the Amildar of the Taluk on 26th December 1923.

6. The said applications have been forwarded, the petitioner understands, to this Honourable Court for orders.

7. As the time for announcement of the candidature is fast approaching, I pray that my candidature may be ordered to be announced immediately.

BANGALORE CITY,)
16th January 1924.)

V. Venkatappa
PETITIONER.



15

ಬೆಂಗಳೂರು ಡಿವಿಷನ್ ಕೋರ್ಟ್, ಮೈಸೂರು ಜಿಲ್ಲಾ ಕೋರ್ಟ್.

1923-1924 ನೇ ನಂಬರು

ವಾರ್ಡ್ ಅರ್ಜಿದಾರ್.

ಪ್ರತಿಪಕ್ಷಿಯ ಅಪೋನೆಂಟ್.

V. Venkatappa (VS.)

ಮು|| ರಾ|| ಬೇಲೂರು ಶ್ರೀನಿವಾಸಯ್ಯಂಗಾರ್, ಬಿ. ಎ. ಬಿ. ಎಲ್.,

ಮತ್ತು ಮು|| ರಾ|| ಕೆ. ಎಸ್. ಶ್ರೀನಿವಾಸನ್, ಎಂ. ಎ. ಎಲ್. ಎಲ್. ಬಿ., ಅಡ್ವೋಕೇಟರನಾಗಿ.

624 ದೂರ ನಾಂದನಾ ಚರಿಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ಪರವಾಗಿ ಆಪ್ತರೊಡನೆ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವದಕ್ಕೂ, ನನ್ನ ಪರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ತನನ್ನೂ, ದಿಕ್ಕಿನನ್ನೂ, ಜಾರಿಕ್ರಮ ನಡೆಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಬ್ ಜೈಕಾಗಿರುವ ದಿಕ್ರಮೋಬಲಗು, ತಿಲ್ಕುಮೋಬಲಗು ಸಹ ಪಡೆಯಲಿಕ್ಕೂ ದಸ್ತೆವಜು ವಗೈರೆಗಳನ್ನು ವಾಸಮ ಪಡೆಯಲಿಕ್ಕೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿದ್ದೇನೆ. ಅಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮ ಗೋಸ್ವರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಬದ್ದಮೆಯಲ್ಲಿ ನಡೆಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡೆಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ಧನಾಗಿ ಇದ್ದೇನೆ.

V. Venkatappa

ತಾರೀಖು 17-1-1924 ರುಜು
ಬೆಂಗಳೂರು

ಈ ಮೊಖ್ತಾಯಿರುನಾಮಾ ಕೊಟ್ಟವರು ನಮಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ಸಮಕ್ಷಮ ರುಜುವಾಡುಹಿತ್ತಾರೆ.

ಈ ಮೊಖ್ತಾಯಿರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದ್ದೇವೆ.

NS

NS

ಅಡ್ವೋಕೇಟರಗಳು.